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Letter dated 2 January 1991 from the Permanent Representative of Turkey to the United Nations addressed to the Secretary-General

I have the honour to attach herewith a letter dated 28 December 1990 addressed to you by His Excellency Mr. Özer Koray, Representative of the Turkish Republic of Northern Cyprus (see annex).

I should be grateful if the present letter and its annex were circulated as a document of the forty-fifth session of the General Assembly, under agenda item 43, and of the Security Council.

(Signed) Mustafa AKSIN
Ambassador
Permanent Representative

ANNEX

Letter dated 28 December 1990 from Mr. Özer Koray addressed to the Secretary-General

Upon instructions from my Government, I have the honour to refer to the statement made on 27 November 1990 by the Greek Cypriot representative, Mr. Andreas Mavrommatis, at the Third Committee, under agenda item 12, and to respond to some of the allegations and accusations directed against the Turkish Cypriot side, especially in connection with the "missing persons" issue which was exploited at great length without any regard for the families of the missing persons, as well as in defiance of all documented facts and evidence.

It should be underlined, at the outset, that the Greek Cypriot side, by exploiting such secondary issues at every available opportunity, is trying to create a smoke-screen over its negative stance towards the United Nations Security Council's resolution 649 (1990) of 12 March 1990 and directing attention away from the core issues which have to be addressed realistically, and in good faith, on the basis of that resolution. So far, those issues have not been addressed because the Greek Cypriot side has been undermining the process of negotiations to be held on an equal footing, as called for in United Nations Security Council resolution 649 (1990), and acting in a manner which is rendering the pursuit of Your Excellency's mission of good offices difficult, if not impossible.

In spite of the persistent efforts by the Greek Cypriot administration to exploit the issue of the missing persons, the Turkish Cypriot side has exercised patience and restraint in awareness that engaging in fruitless debate over baseless allegations would only complicate the task of the tripartite Committee on Missing Persons (CMP). I will, however, respond to some of the unfounded allegations and blatant inaccuracies contained in the Greek Cypriot representative's statement before the Third Committee, in order to set the record straight in this regard:

Contrary to the allegations of Mr. Mavrommatis, the Cyprus problem started in 1963 as a result of the Greek Cypriot armed onslaught to annihilate the Turkish Cypriot people as a prelude to annexing the island to Greece. The CMP press release dated 11 April 1990 signed also by the Greek Cypriot member of the CMP, Mr. Georghiades, is one testimony to the fact that the problem goes back to 1963-64, since which time some 209 Turkish Cypriots are still missing. The plight of the Turkish Cypriot people during the 1963-74 period is also well documented in the periodic reports of successive United Nations Secretaries-General, and need not be repeated here.

The Greek Cypriot representative has made an attempt to project the issue of missing persons as a predicament affecting exclusively the Greek Cypriot side, and has tried to blame the Turkish Cypriot side and Turkey for the lack of progress in determining the fate of the "missing persons". The Greek Cypriot side claims that a large proportion of those missing persons consists of civilians, resulting from the legitimate and timely intervention of Turkey following the Greek-sponsored

coup d'état in 1974, which aimed at the annexation of the island to Greece. The majority of the Greek Cypriots killed during the summer of 1974 were in fact casualties of the bloody coup of 15 July, which installed the notorious terrorist, Nicos Sampson, as the "President" of Cyprus.

In this connection, I should point out that, out of 1,619 Greek Cypriots claimed to be missing, only 30.31 per cent, according to Greek Cypriot statistics, are civilians (92 per cent men, 6 per cent women and 2 per cent children). And even most of these men have been proved to be "reservists", whereas, out of 803 Turkish Cypriot missing persons 99.40 per cent are civilians (71 per cent men, 12 per cent women and 17 per cent children).

It is alleged that the Greek Cypriot side has evidence that most of the 1,619 persons were alive after their capture. If they are in possession of such evidence they should submit it to the tripartite CMP for assessment. Mr. Mavrommatis should have referred also to the statement issued by the International Committee of the Red Cross (ICRC) on 11 March 1976, which notes that all Greek Cypriot prisoners taken to Turkey had been returned and released in South Cyprus. The allegation that certain people were identified in photographs or files has also been refuted by expert examination of these photos in Switzerland.

It is incorrectly stated by Mr. Mavrommatis that the reactivation of the CMP, after its recess soon after 1981, due to disagreements on procedural matters, took place in May 1984. The fact is that the CMP was reactivated as a result of the comprehensive peace proposals made by President Rauf R. Denktas on 2 January 1984, which included a call to reactivating the CMP and an invitation to the then third member, the late Mr. Claude Pilloud, to come to Cyprus to start contacts. The first meeting of the CMP took place on 14 March 1984.

Mr. Mavrommatis also repeated the stereotype Greek Cypriot allegations that not a single case has been "elucidated" so far due to (a) the restrictive terms of reference, and (b) Turkish Cypriot non-co-operation. These are, of course, allegations which the Greek Cypriot side knows to be unfounded but continues to spread as propaganda. Such unconstructive conduct was clearly criticized also in the Council of Europe document No. 5716, dated 6 April 1987 (M. M. Reisen and Andreas Muller's report, prepared following a fact-finding visit to Cyprus):

> "Whilst considering that enforced disappearances are a crime against humanity and, therefore, not subject to limitation, the Assembly would do well to reflect upon their historical background. What happened in Cyprus in 1963-64 as well as in 1974 was so dramatic for the two communities that everything possible ought to be done to avoid protracting the suffering of both. One is entitled to wonder in the circumstances whether a possible way of speeding up the investigations might not be to declare an amnesty in respect of the acts which, directly or indirectly, resulted in the disappearances during the periods mentioned. European history shows that, after bloody conflicts, an amnesty has often paved the way for renewed peace.

In this spirit, there should be no undue publicity concerning the missing persons issue, so that the work of the CMP is not held up. The rapporteurs can only protest vigorously against exploitation of the issue for political propaganda purposes."

Mr. Mavrommatis has incorrectly claimed that the Turkish Cypriot side has not been willing to furnish the CMP with concrete evidence and proof of the fate of the missing persons. The case of the signet gold ring originally taken from the finger of the Greek or Greek Cypriot soldier who fell in the battle at Kyrenia Boghaz in July 1974 and the military identity card taken from the pocket of another Greek Cypriot soldier who was killed in the same battle, are enough to expose the insincerity displayed by Mr. Mavrommatis. The submission of such concrete evidence by us, provided voluntarily by a former Turkish Cypriot fighter who had defended the Turkish area in Kyrenia Boghaz against attacking Greek Cypriot troops, ironically seems to have not been appreciated by the Greek Cypriot side because, despite the lapse of one year since such concrete evidence was produced, it has not responded by agreeing to delete the names of the two Greek Cypriot soldiers from their list of missing persons.

Another ludicrous allegation is to the effect that there are so-called official records of Turkish military authorities in Northern Cyprus which, it is alleged, it has been impossible to subpoena to shed light on Greek Cypriot missing persons. There are, of course, no such records and no evidence has been submitted to the CMP in that regard.

The concept of "better quality evidence", which is repeatedly stated at the CMP's meetings also, was taken up by Mr. Mavrommatis which led him coincidentally to make a number of suggestions as "practical measures" which should, in his opinion, be taken to enable the CMP to obtain "better quality evidence". Those suggestions, which I shall not repeat here, besides not being covered by the agreed terms of reference of the CMP, are either unnecessary or impractical. For instance, expert forensic evidence procured for the CMP indicate the impossibility of identifying physical remains even if any might be traced, which itself would be impossible.

In view of the foregoing, it is apparent that Greek Cypriot claims and counter-claims have so far impeded the work of the CMP which was given a clear mandate to complete a humanitarian mission in the shortest possible time with the co-operation of the two sides in Cyprus. The Greek Cypriot side has failed to show good will and sensibility in this regard. The Turkish Cypriot side has been accused of non-co-operation, whereas the agreed terms of reference guiding the work of the CMP are being undermined by the Greek Cypriot side in order to prolong the issue for political exploitation. The CMP is being rendered ineffective as a neutral and acceptable body with a humanitarian function, just as resolution 649 (1990) of the United Nations Security Council and Your Excellency's mission of good offices in general are being undermined as bases for future negotiations, solely because they do not meet Greek Cypriot demands and do not serve their own illegitimate political ends.

(Signed) Özer KORAY
Representative of the
Turkish Republic of Northern Cyprus